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**FILED**

OCT 25 2007

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) No. CR 07-00589 PJH  
Plaintiff, ) [PROPOSED] ORDER RE: RELEASE  
v. ) OF PROPERTY TO THE UNITED  
D'MARQUES LUCKETT, ) STATES MARSHAL  
Defendant. )  
\_\_\_\_\_  
)

Counsel for the defendant D'Marques Luckett has informed the Court that agents of the Bureau of Alcohol, Tobacco and Firearms (ATF) took custody of property that belonged to the defendant. Specifically, agents took property – such as letters, photographs, and legal materials – that the defendant was allowed to keep in his cell while incarcerated on previous state charges.

The Court asks that these ATF agents provide this property to the United States Marshal. The defendant has represented in open court that he consents to the Marshals searching this property. After it is searched, the Court asks that the Marshal provide these materials to the appropriate officers at the Santa Rita County jail. The Court further directs that Santa Rita jail allow Mr. Luckett to keep these materials in his cell.

1        This order only pertains to material that is typically permitted to be kept by inmates within their  
2 cells at Santa Rita jail. It does not authorize Mr. Luckett access to any prohibited materials, such as  
3 contraband or pornography, within his cell.

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5 IT IS SO ORDERED.

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7 10/25/07

DATED



EDWARD M. CHEN  
United States District Court Judge

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